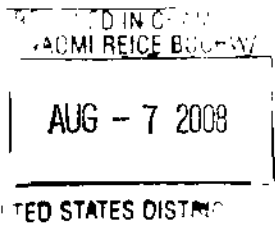


**MEMO ENDORSED**United States Attorney
Southern District of New York86 Chambers Street, 3rd floor
New York, New York 10007

August 7, 2008

BY FAXHonorable Naomi Reice Buchwald
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007Re: Diahanna McCulloch v. Astrue
08 Civ. 3480 (NRB)

Dear Judge Buchwald:

The Government's answer in the above-referenced Social Security case is due August 8, 2008. We write respectfully to request, with the consent of plaintiff's counsel, that the time to answer or move with respect to the complaint be adjourned for 30 days, until September 8, 2008. The reason for this request is to give the Social Security Administration sufficient time to evaluate its litigation position in this case. One prior adjournment of the answer date was granted. We appreciate the Court's consideration of this request.

So ordered
Final
extension
[Signature]
Birnbaum,
USDJ
8/7/08

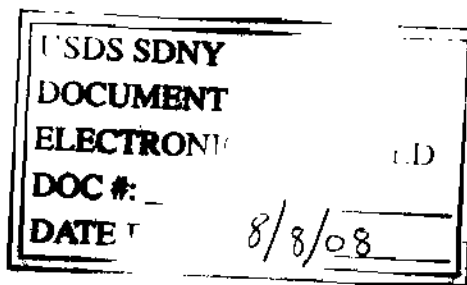
Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

SUSAN D. BAIRD
Assistant United States Attorney
tel. (212) 637-2713
fax (212) 637-2750cc: **BY FAX**

Charles E. Binder, Esq.

MEMO ENDORSED



FACSIMILE COVER SHEET

U.S. ATTORNEY'S OFFICE, SDNY
86 Chambers Street, 3rd Floor
NEW YORK, NY 10007

From: SUSAN D. BAIRD, AUSA

Office Phone No.: (212) 637-2713

Fax Number: (212) 637-2750

No. pages (including cover sheet):

Date sent: August 7, 2008

**"FOR OFFICIAL USE ONLY" U.S. ATTORNEY FACSIMILE
COMMUNICATION**

The information contained in this facsimile message, and any and all accompanying documents, constitute "FOR OFFICIAL USE ONLY" information. This information is the property of the U.S. Attorney's Office. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is strictly prohibited. If you received this information in error, please notify us immediately by telephone at the above number and destroy the information.

To: Honorable Naomi Reice Buchwald

Office Phone No:

Fax Number: (212) 805-7927

Reference : Diahanna McCulloch v. Astrue
08 Civ. 3480 (NRB)

Remarks: